

| Time | Speaker | Note |
|------------|--------------|--|
| 1:49:34 PM | (entry only) | INITIAL APPEARANCE: AUSA M. DiGiacomo, M. Mariano and defts. |
| 1:51:07 PM | | Defts advised they are charged in a criminal complaint -- defts acknowledge receipt of complaint. |
| 1:51:16 PM | | Defts advised charges and penalty range in the event of conviction. |
| 1:52:11 PM | | Deft advised of their rights. |
| 1:52:30 PM | | Defts wish to be represented by counsel. Deft Perales reqs ct app atty. Deft sworn, examined and determined not eligible . Case will be transferred to MJ Scott. MARIANNE MARIANO LIMITEDLY ASSIGNED PENDING REVIEW BY MJ SCOTT. |
| 1:56:17 PM | | Deft Castillo indicates his name is Castro not Castillo. Gov't clarifies deft's name, to wit: Castillo shows up on criminal history printouts and that's why there is an a/k/a as well. COURT ASSIGNS MARIANO FOR TODAY'S PROCEEDING -- DEFT TO COMPLETE FINANCIAL AFF'D W/PTS -- ASSIGNMENT ELIGIBILITY TO BE DETERMINED. |
| 1:57:43 PM | | Deft Owens reqs ct app atty. Deft sworn and examined. |
| 2:00:19 PM | | [AFPD review financial aff'd w/deft Owens off the record] |
| 2:02:48 PM | | Court continues Owens examination. Deft determined ineligible for assignment subject to review by MJ Scott. Mariano limitedly assigned for today's proceeding only. |
| 2:06:27 PM | | Court states there will be an issue on atty representation for dtn hrg? AFPD concurs. |
| 2:06:39 PM | | AFPD states more PTS followup forthcoming which will clarify/verify unknown information -- AFPD can assist defts who have issue w/atty assignment. |
| 2:07:40 PM | | Conway reqs ct app atty. Deft sworn and examined -- eligibility uncertain. Court directs for purposes of followup proceeding before MJ Scott at the dtn hrg that defts are eligible for panel counsel at dtn hrg to be determined by MJ Scott if defts should contribute towards defense. |
| 2:12:37 PM | | AFPD will represent Perales and represent co-defts for this proceeding until panel attys appointed subject to MJ Scott determined if assignments should continue or defts retain attys. |
| 2:13:09 PM | | Defts advised of their rights to PE. |
| 2:13:25 PM | | AFPD reqs PE be scheduled at the time of dtn hrg. |

7/3/2007

FILED
U.S. DISTRICT COURT
W.D. of N.Y.
7/3/07
AT 0:00 M.
BY _____
TITLE *Mccarthy*

1 of 2

| Time | Speaker | Note |
|-------------------|---------|---|
| <u>2:13:44 PM</u> | | Gov't moves for dtm for all defts on the basis of risk of flight and Perales status in the US; as to castro: risk of flight/danger and status inthe US -- deft Owens and Conway -- risk of flight/danger. gov't reqs 3 days under the statute |
| <u>2:18:21 PM</u> | | 7-6-07 at 11 am, dtm hrg and schedule PE (before MJ Scott) |
| <u>2:18:43 PM</u> | | defts remanded to USMS in the interim. |
| <u>2:18:51 PM</u> | | court query to Perales and Castro re: citizenship? |
| <u>2:18:58 PM</u> | | AFPD reqs defts not to answer as to their citizenship and waive any consulate issues to be addressed at a later time. |
| <u>2:19:19 PM</u> | | AUSA reqs time exclusion from today thru 7-6-07 under STA and Rule 5.1 of Fed Rules of Crim Procedure and 18:3161h1f, etc. -- defts agree -- court adopts counsel's representations as its findings -- written sta order to follow. |
| <u>2:20:23 PM</u> | | defts remanded. |
| <u>2:20:25 PM</u> | end | |